

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
Charlotte Division  
Civil Action No. 3:12-cv-00656-GCM

DUNKIN' DONUTS FRANCHISING, LLC, <u>et al.</u>	)	
	)	
Plaintiffs,	)	
	)	
v.	)	DEFAULT JUDGMENT ORDER
	)	
WHD ENTERPRISES, LLC, <u>et al.</u> ,	)	
	)	
Defendants.	)	

This day came the Plaintiffs, by counsel, upon their Motion for Entry of Default Judgment against defendants, WHD Enterprises, LLC (“WHD”), AND Enterprises, LLC (“AND”) and Waheed Dode (“Dode”) (collectively all three defendants may be referred to herein as “Defendants”). It appearing to the Court that the Defendants were duly served with process; that none of the Defendants has responded or otherwise plead within the time required by law; that all of the Defendants are in default; that default has been entered by the Clerk of this Court against all Defendants; and that the Motion for Entry of Default Judgment filed by Plaintiffs is proper and should be granted, it is hereby ORDERED as follows:

A. that Defendants, as well as their agents, servants and employees, immediately cease operation of the Dunkin’ Donuts and Baskin-Robbins franchised businesses located at 5089 Beatties Ford Road and 709 Kings Drive in Charlotte, North Carolina, and not hereafter, directly, indirectly or in any manner whatsoever, use, infringe upon or dilute the Plaintiffs’ trademarks and service marks or, directly or indirectly, represent to the public or hold themselves out as an authorized Dunkin’ Donuts or Baskin-Robbins operator;

B. that Defendants shall immediately deliver to Plaintiffs all operating manuals, plans, specifications and other materials in their possession containing information prepared by

Plaintiffs and relative to operation of their franchised units in Charlotte, NC, and all copies thereof;

C. that Defendants shall promptly remove, at their expense, from the specified franchise business locations in Charlotte, NC recited above all equipment, signs, trade fixtures, furnishings and other personal property associated with the Dunkin' Donuts and/or Baskin-Robbins trademarks and franchised business system and return to Plaintiffs all trademarked items;

D. that Defendants shall immediately disconnect, withdraw and/or terminate any telephone listings and/or fictitious name registrations containing any of the Dunkin' Donuts and/or Baskin-Robbins trademarks, service marks or trade names, or parts thereof;

E. that Judgment be, and it hereby is, entered in favor of plaintiffs, Dunkin' Donuts Franchising, LLC and Baskin-Robbins Franchising, LLC and against defendants, WHD and Dode, jointly and severally, in the amount of \$11,295.86, plus interest on such sum at the rate of 18% per annum from January 16, 2013 until paid;

F. that Judgment be, and it hereby is, entered in favor of plaintiff, DB Real Estate Assets I, LLC and against defendants, WHD and Dode, jointly and severally, in the amount of \$64,361.95, plus interest on such sum at the rate of 18% per annum from January 16, 2013 until paid;

G. that Judgment be, and it hereby is, entered in favor of plaintiffs, Dunkin' Donuts Franchising, LLC and Baskin-Robbins Franchising, LLC and against defendants, AND and Dode, jointly and severally, in the amount of \$15,479.46, plus interest on such sum at the rate of 18% per annum from January 16, 2013 until paid;

H. that Judgment be, and it hereby is, entered in favor of plaintiff, DB Real Estate Assets I, LLC and against AND and Dode, jointly and severally, in the amount of \$53,913.93, plus interest on such sum at the rate of 18% per annum from January 16, 2013 until paid;

I. that Judgment be, and it hereby is, entered in favor of plaintiff, DB Master Finance, LLC and against all Defendants, jointly and severally, in the amount of \$175,046.99, plus interest on such sum at the rate of 18% per annum from January 16, 2013 until paid; and

J. that Judgment be, and it hereby is, entered in favor of Plaintiffs and against all Defendants, jointly and severally, in the amount of \$12,446.21 for attorney's fees and costs incurred by Plaintiffs herein.

K. that this case is now closed.

**SO ORDERED.**

Signed: January 30, 2013

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

